



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

April 9, 2020

BY ECF

The Honorable Paul A. Crotty
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Dwight Forde*, 18 Cr. 339 (PAC)

Dear Judge Crotty:

The Government respectfully submits this letter on behalf of both parties to jointly request that the trial presently scheduled to commence on June 1, 2020, be adjourned to a date convenient to the Court in October or November 2020. The trial is expected to last approximately one week. The parties view the requested adjournment as regrettable but necessary in light of the COVID-19 pandemic's impact on the defendant's ability to consult with his counsel (including with respect to a potential pretrial disposition), the parties' abilities to prepare for trial, and the anticipated timeline on which the Court will likely be able to convene a jury trial, as well as counsel's scheduling conflicts arising from trials scheduled for other cases.¹

In the event that the Court grants the parties' joint request for an adjournment, the parties respectfully request that the Court cancel the status conference presently scheduled for April 15, 2020. However, if the Court wishes to proceed with that conference, the parties jointly request that the Court permit the defendant to waive his appearance and for counsel for both parties to appear by telephone.

Finally, the parties jointly request that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), from April 15, 2020, until the date to which the Court reschedules the trial, to allow the defendant adequate time to consult with his counsel (including with respect to a potential pretrial disposition) and to allow the parties sufficient time to complete their discussions regarding a potential pretrial disposition and prepare for trial, in light of the limitations imposed by the COVID-19 pandemic.

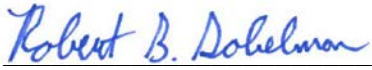
¹ The Government notes that although the defendant was charged in May 2018, he was not apprehended until August 2019 (long after his co-defendants).

4-10-2020

The trial and status conference are adjourned. A status conference is set for June 22, 2020 at 12 noon. Trial is adjourned to November 2, 2020. Time is excluded through November 2, 2020. SO ORDERED.
/S/ Paul A. Crotty

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

By 

Nicholas W. Chiuchiolo
Robert B. Sobelman
Assistant United States Attorneys
(212) 637-1247/2616

Cc: Matthew D. Myers, Esq. (by ECF)